

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

KAY WILLIFORD,

Plaintiff,

No. CV06-1289-PK

OPINION AND ORDER

v.

CITY OF PORTLAND, MULTNOMAH
COUNTY, OFFICER KLUNDT, personally,
and OFFICER TOBEY, personally,

Defendants.

MOSMAN, J.,

On June 26, 2007, Magistrate Judge Papak issued Findings and Recommendation ("F&R") (#43) in the above-captioned case recommending that Plaintiff Kay Williford's Motion to Amend (#33) be granted, and Defendants City of Portland and Multnomah County's Motion to Dismiss (#17) and Defendant Officer Klundt's Motion to Dismiss (#26) be granted. Plaintiff filed a timely objection.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate

judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Papak's recommendation, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 4th day of September, 2007.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Court